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**LAW OFFICES OF
LOUIS E. GITOMER**

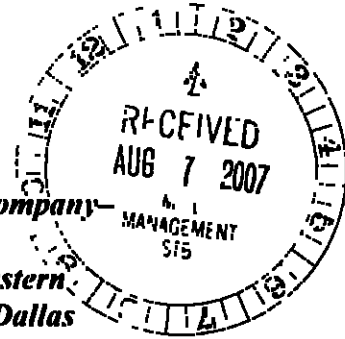
LOUIS E. GITOMER
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August 7, 2007

THE ADAMS BUILDING, SUITE 301
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Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

RE **Docket No. AB-33 (Sub-No. 256X), *Union Pacific Railroad Company—
Abandonment Exemption—in Dallas County, TX***
**Docket No. AB-585 (Sub-No. 2X), *Dallas, Garland & Northeastern
Railroad Company—Discontinuance of Service Exemption—in Dallas
County, TX***



Dear Secretary Williams

Enclosed are the original and 10 copies of a Petition for Exemption for the Union Pacific Railroad Company ("UP") to abandon and the Dallas, Garland & Northeastern Railroad Company ("DGNO") to discontinue service over a 4 1-mile line of railroad in Dallas County, TX. Also enclosed are an STB Payment Form from UP for the filing fee of \$5,400 and a check from DGNO for the filing fee of \$5,400. Also enclosed is a computer diskette containing the Petition in Word and pdf format.

Please time and date stamp the additional copy of this letter and the Petition and return them with our messenger. Thank you for your assistance.

If you have any questions please call or email me

Sincerely yours,

Louis E. Gitomer
Attorney for Dallas, Garland & Northeastern
Railroad Company

FILED

AUG 7 - 2007

**SURFACE
TRANSPORTATION BOARD**

ENTERED
Office of Proceedings

AUG 7 - 2007

Part of
Public Record

Enclosures

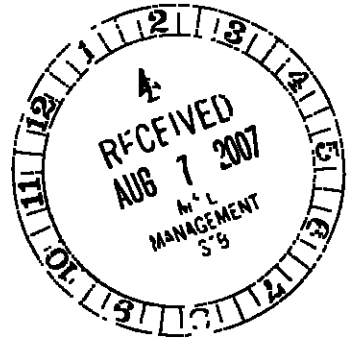
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AUG 7 - 2007

**SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No AB-33 (Sub-No 256X)



UNION PACIFIC RAILROAD COMPANY-ABANDONMENT EXEMPTION-
IN DALLAS COUNTY, TX

Docket No AB-585 (Sub-No 2X)

DALLAS, GARLAND & NORTHEASTERN RAILROAD COMPANY-
DISCONTINUANCE OF SERVICE EXEMPTION-IN DALLAS COUNTY, TX

PETITION FOR EXEMPTION

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Dated August 7, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No AB-33 (Sub-No 256X)

**UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—
IN DALLAS COUNTY, TX**

Docket No AB-585 (Sub-No 2X)

**DALLAS, GARLAND & NORTHEASTERN RAILROAD COMPANY—
DISCONTINUANCE OF SERVICE EXEMPTION—IN DALLAS COUNTY, TX**

PETITION FOR EXEMPTION

Union Pacific Railroad Company (“UP”) and the Dallas, Garland & Northeastern Railroad Company (“DGNO”) jointly petition the Surface Transportation Board (“Board”) to exempt, under 49 U.S.C. § 10502, UP’s abandonment and DGNO’s discontinuance of service over the Trinity Industrial Lead between M P 00 near Terminal Junction and M P 41 near Mockingbird Lane, a distance of 4.1 miles in Dallas County, TX (the “Line”) from the prior approval requirements of 49 U.S.C. § 10903.

DGNO leased the Line from UP.¹ The two shippers on the Line relocated their facilities in 2006 and 2007. No traffic has moved on the Line since then and there are no prospects for future traffic.

The abandonment and discontinuance of service are justified because there is no longer a demand for rail service over the Line. Abandonment and discontinuance of service will permit

the railroads to rationalize their systems, avoid rehabilitation and maintenance costs, and dispose of the Line

PROPOSED TRANSACTION

UP proposes to abandon and DGNO proposes to discontinue service over the Trinity Industrial Lead between M P 0 0 near Terminal Junction and M P 4 1 near Mockingbird Lane, a distance of 4.1 miles in Dallas County, TX. The Line traverses Zip Codes 75207 and 75247. A map of the Line is attached as Exhibit A. Exhibit B consists of the combined Environmental and Historic Report. The draft Federal Register Notice is in Exhibit C and copies of the newspaper publication and the required certification are in Exhibit D. The certificate of service is in Exhibit E.

Based on information in UP's and DGNO's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's or DGNO's possession concerning title will be made available to those requesting it.

BACKGROUND

DGNO began operating in 1992. DGNO leased the Line from UP and began operations over the Line in 1999. DGNO operates over a combination of owned and leased rail lines approximately 314 miles in length, including industrial leads. In addition, DGNO operates over trackage rights.

The Line has been operated as excepted track and used to deliver rail cars to two facilities. Recently, the two shippers located on the Line, Cargill Foods ("Cargill") and Union

¹ *Dallas, Garland & Northeastern Railroad, Inc.—Lease Exemption—Union Pacific Railroad Company*, STB Finance Docket No. 33686 (served February 5, 1999)

Pacific Distribution Services ("UPDS")², used the Line to serve their facilities. The UPDS facility was operated by Kinder Morgan Materials Services ("Kinder Morgan") under a contract with UPDS. Cargill and UPDS have relocated their facilities and are no longer located on the Line.

Cargill received 1,493 carloads in 2005, 1,737 carloads in 2006, and five carloads in 2007. Cargill has relocated its rail activity elsewhere in the Dallas Metropolitan Area and continues to receive rail service there, but no longer on the Line.

Kinder Morgan, under contract from UPDS, operated a transload facility on the Line. The UPDS facility handled 381 carloads in 2005, 45 carloads in 2006, and no carloads in 2007. UPDS relocated the transload facility elsewhere in the Dallas Metropolitan Area and no longer uses the Line. However, the shipments destined to the facility on the Line are now delivered to the relocated facility.

DGNO, as the operator of the Line, does not anticipate that any traffic will originate, terminate or move in overhead service on the Line in the foreseeable future. There is no current or future demand for service over the Line. Upon receiving authorization from the Board, UP intends to salvage the track and materials and sell the Land.

ARGUMENT SUPPORTING THE ABANDONMENT AND DISCONTINUANCE OF SERVICE

UP and DGNO seek an exemption under 49 U.S.C. § 10502 from the applicable requirements of 49 U.S.C. § 10903 in order to abandon the Line and to discontinue service over the Line, respectively.

² UPDS is an affiliate of UP.

Under 49 U.S.C. § 10502, the Board must exempt a transaction from regulation when it finds that

(1) regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101, and

(2) either

(a) the transaction is of limited scope, or

(b) regulation is not necessary to protect shippers from the abuse of market power

The legislative history of Section 10502 reveals a clear Congressional intent that the Board should liberally use its exemption authority to free certain transactions from the administrative and financial costs associated with continued regulation. In enacting the Staggers Rail Act of 1980, Pub. L. No. 96-488, 94 Stat. 1895, Congress encouraged the Board's predecessor agency to liberally use the expanded exemption authority under former Section 10505.

The policy underlying this provision is that while Congress has been able to identify broad areas of commerce where reduced regulation is clearly warranted, the Commission is more capable through the administrative process of examining specific regulatory provisions and practices not yet addressed by Congress to determine where they can be deregulated consistent with the policies of Congress. The conferees expect that, consistent with the policies of this Act, the Commission will pursue partial and complete exemption from remaining regulation.

H.R. Rep. No. 1430, 96th Cong. 2d Sess. 105 (1980). See also *Exemption From Regulation—Boxcar Traffic*, 367 U.S. 424, 428 (1983), vacated and remanded on other grounds, *Brue Corp. v. United States*, 740 F.2d 1023 (D.C. Cir. 1984). Congress reaffirmed this policy in the conference report accompanying the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which re-enacted the rail exemption provision as Section 10502. H.R. Rep. No. 422, 104th Cong., 1st Sess. 168-69 (1995).

A. The Application of 49 U.S.C. § 10903 Is Not Necessary to Carry Out the Rail Transportation Policy

Detailed scrutiny of this transaction is not necessary to carry out the rail transportation policy. An exemption would minimize the unnecessary expense associated with the preparation and filing of a formal abandonment and discontinuance of service application, expedite regulatory decisions and reduce regulatory barriers to exit. 49 U.S.C. § 10101 (2) and (7)

The abandonment by UP and discontinuance of service by DGNO will not result in a loss of rail service. Cargill and UPDS have relocated their facilities elsewhere in the Dallas metropolitan area where they continue to receive rail service. Since relocating their facilities, neither Cargill nor UPDS receive rail shipments on the Line. UP and DGNO have spoken to Cargill and UPDS and do not expect opposition to the proposed abandonment and discontinuance. A copy of this petition is being served on Cargill. Granting this exemption, therefore, fosters sound economic conditions and encourages efficient management by permitting the rationalization of an unnecessary rail line from the system of the railroad owning the Line and the railroad leasing the Line. 49 U.S.C. § 10101 (3), (5) and (9). *See CSX Transportation, Inc. – Abandonment Exemption—in Genesee County, MI*, STB Docket No. AB-55 (Sub-No. 633X) (STB served July 25, 2007), at 2. Service to the two shippers who last used the Line is unnecessary since they have relocated. *See, Central Railroad Company of Indianapolis Discontinuance of Service Exemption—in Grant County, IN*, STB Docket No. AB-511 (Sub-No. 3X) (STB served August 1, 2007), at 2.

Other aspects of the rail transportation policy are not adversely affected. For example, competition and the continuation of a sound rail transportation system are not affected since the public will not be deprived of any needed rail services.

B. This Transaction Is Of Limited Scope

The proposed transaction is of limited scope. UP seeks to abandon and DGNO seeks to discontinue service over a 4.1-mile line in one county and in one state, Texas.

C. This Transaction Will Not Result In An Abuse Of Market Power.

UP is abandoning and DGNO is discontinuing service over the Line. There are no shippers located on the Line. Cargill and UPDS were the two users of rail service on the Line. Both have moved their facilities from the Line to other rail served locations in the Dallas Metropolitan area, where they continue to receive rail service. Both have notified UP and DGNO that they do not intend to oppose the abandonment and discontinuance of service.

Since no shipper will lose service, UP and DGNO do not anticipate any opposition to the proposed abandonment and discontinuance of service.

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

A Combined Environmental and Historic Report is in Exhibit B.

FEDERAL REGISTER NOTICE

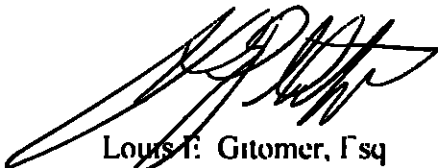
A draft Federal Register notice is attached hereto as Exhibit C.

LABOR PROTECTION

The interests of railroad employees of UP and DGNO who may be adversely affected by the proposed abandonment and discontinuance of service will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. --Abandonment--Goshen*, 360 I.C.C. 91 (1979).

CONCLUSION

Application of the regulatory requirements and procedures of 49 U.S.C. § 10903 to the abandonment of the Line proposed by UP and the discontinuance of service over the Line proposed by DGNO is not required to carry out the rail transportation policy set forth in 49 U.S.C. § 10101, as previously shown. Nor is Board regulation required to protect shippers from the abuse of market power. Moreover, this abandonment and discontinuance of service is of limited scope. Accordingly, UP and DGNO respectfully urge the Board to grant the proposed abandonment of and discontinuance of service over the 4.10-mile Line.



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Attorney for Dallas, Garland & Northeastern
Railroad Company

Dated August 7, 2007

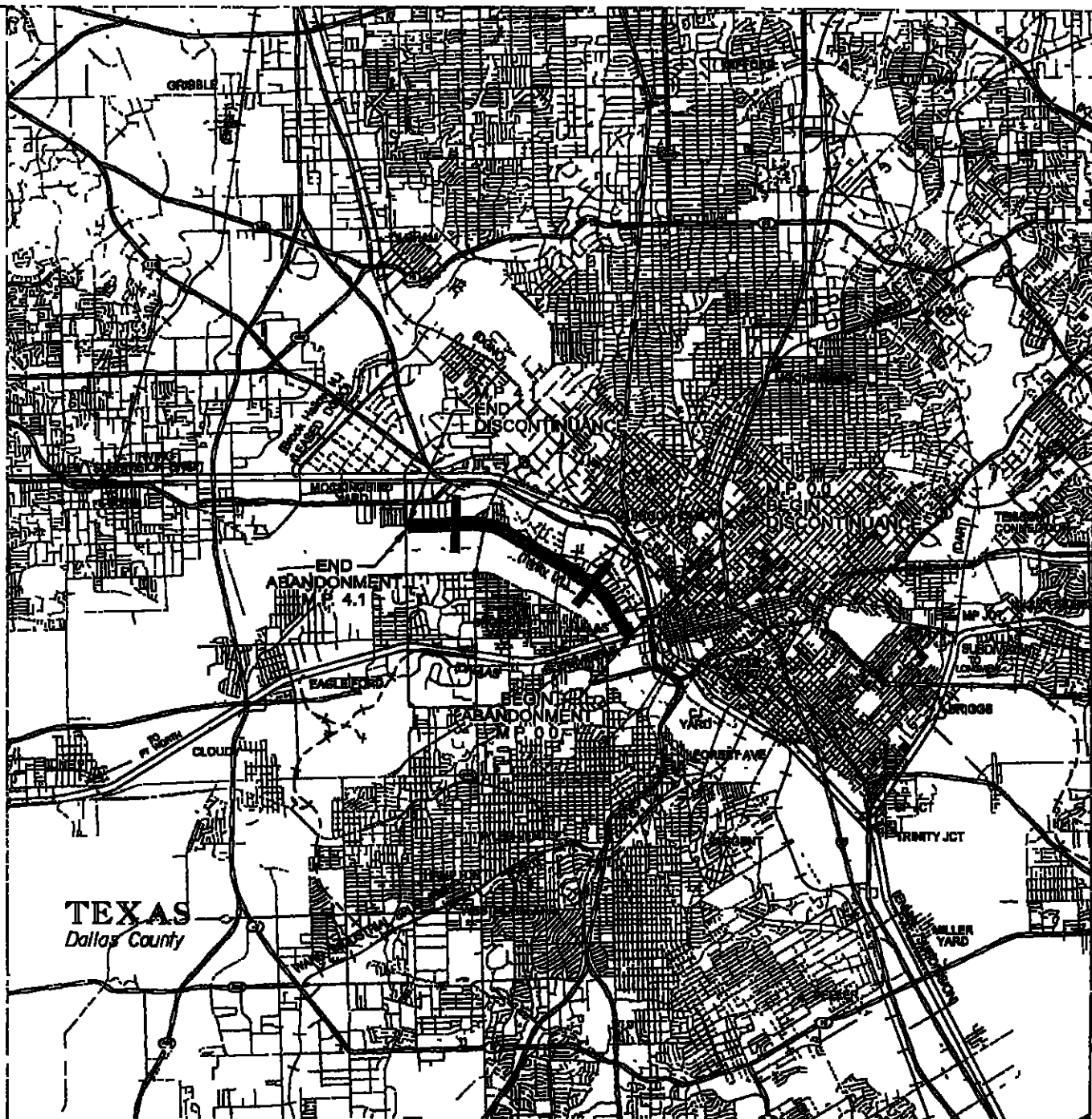
Respectfully Submitted,



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EXHIBIT A–MAP



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
1.80	1 SPAN DECK PLATE GROSS-BALLAST DECK (DPG)	57	1932
3.4	9 SPAN RAIL TIMBER PILE TRUSS OPEN DECK (TPOD)	101	1936
3.4	10 SPAN RAIL TIMBER PILE TRUSS OPEN DECK (TPOD)	107	1936

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

TRINITY INDUSTRIAL LEAD

MP 0.0 TO MP 4.1
TOTAL OF 4.1 MILES
IN DALLAS COUNTY

UNION PACIFIC RAILROAD CO
DALLAS, GARLAND & NORTHEASTERN RR, LESSEE
TRINITY INDUSTRIAL LEAD
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE Q:\abandonments\ab33_256_trinity_v8.dgn

DATE 30-May-07 14 25

EXHIBIT B—COMBINED ENVIRONMENTAL AND HISTORIC REPORT

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 256X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN DALLAS COUNTY, TEXAS
(TRINITY INDUSTRIAL LEAD)**

Docket No. AB-585 (Sub-No. 2X)

**DALLAS, GARLAND & NORTHEASTERN RAILROAD COMPANY
--DISCONTINUANCE OF SERVICE AND LEASE OPERATIONS--
IN DALLAS COUNTY, TEXAS
(TRINITY INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

**UNION PACIFIC RAILROAD COMPANY
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**Dated: July 13, 2007
Filed: July 16, 2007**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 256X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN DALLAS COUNTY, TEXAS
(TRINITY INDUSTRIAL LEAD)**

Docket No. AB-585 (Sub-No 2X)

**DALLAS, GARLAND & NORTHEASTERN RAILROAD COMPANY
--DISCONTINUANCE OF SERVICE AND LEASE OPERATIONS--
IN DALLAS COUNTY, TEXAS
(TRINITY INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

Dallas, Garland & Northeastern Railroad Company ("DGNO") and Union Pacific Railroad Company ("UP") submit this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for a discontinuance of service and lease operations by (DGNO), and an exempt abandonment and discontinuance of service by (UP) over the Trinity Industrial Lead from milepost 0.0 near Terminal Junction to milepost 4.1 near Mockingbird Lane, a distance of 4.1 miles in Dallas County, Texas (the "Line") The Line traverses U. S. Postal Service Zip Codes 75207 and 75247.

The DGNO and UP anticipate that a Joint Petition for Abandonment and Discontinuance of Service under 49 U.S.C. 10502 Exemption Procedure for the Line will be filed at the STB on or after August 6, 2007.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and hereby made a part hereof. Responses received thus far to UP's letter are attached hereto and sequentially referenced as attachments in the appropriate sections of this Combined Environmental and Historic Report.

ENVIRONMENTAL REPORT
49 C.F.R. § 1105.7(e)

(1) Proposed action and alternatives Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project

Response: The proposed action involves the discontinuance of service and lease operations by (DGNO), and an exempt abandonment and discontinuance of service by (UP) over the Trinity Industrial Lead from milepost 0.0 near Terminal Junction to milepost 4.1 near Mockingbird Lane, a distance of 4.1 miles in Dallas County, Texas. The Line begins in central Dallas and runs 4.1 miles west within the city limits. After abandonment, industries located near the Line will continue to have access to the numerous rail lines serving the city, including DGNO, UP, BNSF, and KCS. The area is also served by numerous major streets and highways. The last active customers on the Line, a Cargill facility and a UP transload facility operated by Kinder Morgan, have closed their operations on the Line; rail shipments ceased by the end of 2006. The transload operation was relocated to UP's Miller Yard, a UP railroad served facility in the Dallas metro area, and all transload customers continue to receive UP rail service at this location. Therefore, the abandonment of the Line will have no adverse effect on rail shippers on the

Line. There appears to be no reasonable alternative to the abandonment. There are no other current rail customers on the Line and there is no anticipation of the location of any new rail served customers along the Line. There is no overhead traffic.

The Line was constructed by the Texas & Pacific Railway Company in two phases. The first 1.3 miles of the Line was constructed in the early 1930's, and the remaining portion of the Line was built in the middle 1950's. The Line is currently laid with 110 pound jointed rail.

The right-of-way proposed for abandonment contains some reversionary property. UP is not aware of any public interest in the Line and is of the opinion that the property is not needed for public purposes, including roads, highways, forms of mass transportation, conservation, energy production or for utility transmission lines. The area is adequately served by existing roads and utility lines and Dallas Area Rapid Transit ("DART") has indicated that it is not interested in utilizing the Line. The right-of-way is parallel and adjacent to the Trinity River, a high power overhead electric transmission line and an underground high pressurized gas line. To date, there has been no interest as a rails-to-trails corridor. Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

A map of the Line is attached as **Attachment No. 1**.

(2) Transportation system. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: There should be no effect on regional or local transportation systems or patterns, and there will be no diversion to other modes or systems.

(3) Land use. (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action effects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response: (i) The Dallas County Commissioners Office has been contacted. To date neither UP nor DGNO has received a response.

(ii) The United States Natural Resources Conservation Service has been contacted. To date UP has received no response.

(iii) Not Applicable.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, in that the area is adequately served by existing roads and utility lines at the present time. DART has indicated that it is not interested in utilizing the Line.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected Line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response: (i) There will be no effects on the transportation of energy resources.

(ii) There are no recyclable commodities handled over the Line.

(iii) There will be no effect on energy efficiency.

(iv)(A)(B) There will be no rail-to-motor vehicle diversion.

(5) **Air.** (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§ (5)(i)(A) will apply.

Response: There is no such effect anticipated.

(5) **Air.** (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State

Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic of these magnitudes as a result of the proposed action.

(5) **Air.** (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) **Noise.** If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) **Safety.** (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) Biological resources. (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response: (i) The U. S. Fish and Wildlife Service has been contacted. To date we have received no response.

(ii) We are not aware of any wildlife sanctuaries or refuges, or of any National or State parks or forests, that will be affected by the proposed abandonment.

(9) Water. (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

Response: (i) The Texas Natural Resource Conservation Commission has been contacted. To date neither UP nor DGNO has received a response.

(ii) The U.S. Army Corps of Engineers has been contacted. To date neither UP nor DGNO has received a response.

(iii) It is not anticipated there will be any requirements for Section 402 permits.

(10) **Proposed Mitigation.** Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See Attachment No. 1.

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The right-of-way through this area varies in width from 41.5 feet to 100 feet. The right-of-way is in an urban area lying west of downtown Dallas and is bordered on the south by the Trinity River Levee and a light industrial neighborhood to the north.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

Response: The Texas Historical Commission has been provided with photographs of each of the structures on the property that are 50 years old or older. A copy of the letter to the State Historical Society and photographs are attached as **Attachment No. 3**, and are hereby made part hereof. To date neither UP nor DGNO has received a response.

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

Response: See Attachment No. 1.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

Response: See the preceding pages for a brief history and description of carrier operations.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Response: Not applicable.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: At this time, UP and DGNO knows of no historic sites or structures or archeological resources on the Line or in the project area. UP and DGNO are

of the opinion that there is nothing in the scope of the proposed abandonment or discontinuance of service that merits historical comment and that any archeological sites within the scope of the right-of-way would have previously been disturbed during the construction and maintenance of the Line.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain:

Response: UP does not have any such readily available information.

(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or group of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

Response: Not applicable.

Dated this 13th day of July, 2007.

Respectfully submitted,

DALLAS, GARLAND & NORTHEASTERN
RAILROAD COMPANY

Louis E. Gitomer, Attorney
600 Baltimore Avenue, Suite 301
Towson, Maryland 21204
(202) 466-6532
(410) 332-0885 FAX

UNION PACIFIC RAILROAD COMPANY

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a horizontal line.

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

O:\ABANDONMENTS\33-256\EHR.doc

CERTIFICATE OF SERVICE
OF THE
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 256X) for the Trinity Industrial Lead in Dallas County, Texas was served by first class mail on the 13th day of July, 2007 on the following:

State Clearinghouse (or alternate):

Tom Adams
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

James Randall
Director of Transportation, Planning and
Programming
Texas Department of Transportation
118 East Riverside Plaza
Austin, TX 78704

State Environmental Protection Agency:

Texas Natural Resource Conservation
Commission
Ken Patterson, Deputy Director
P.O. Box 13087, m145
Austin, TX 78711-3087

State Coastal Zone Management Agency
(if applicable):

Not applicable.

Head of County (Planning):

Dallas County Commissioners
411 Elm Street, Floor 2
County Administration Building
Dallas, TX 75202-3317

Environmental Protection Agency
(regional office):

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service
Southwest Region 2
U S. Fish & Wildlife Service
500 Gold Avenue SW - Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers:

U.S. Army Engineer District Fort Worth
Benbrook Lake Project Office
P.O. Box 26619
Fort Worth, Texas 76126-0619

National Park Service:

National Park Service
12795 Alameda Parkway
Denver, CO 80228

U.S. Natural Resources Conservation
Service:

USDA, Natural Resources Conservation
Service
Soil Survey Section
W R Poage Federal Bldg.
101 South Main Street
Temple, TX 76501-7682

National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

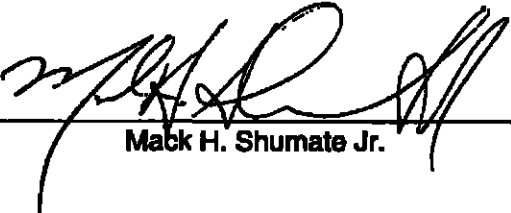
State Historic Preservation Office:

Texas Historical Commission
James W. Steely
History Program Division
P. O. Box 12276
Austin, TX 78711-2276

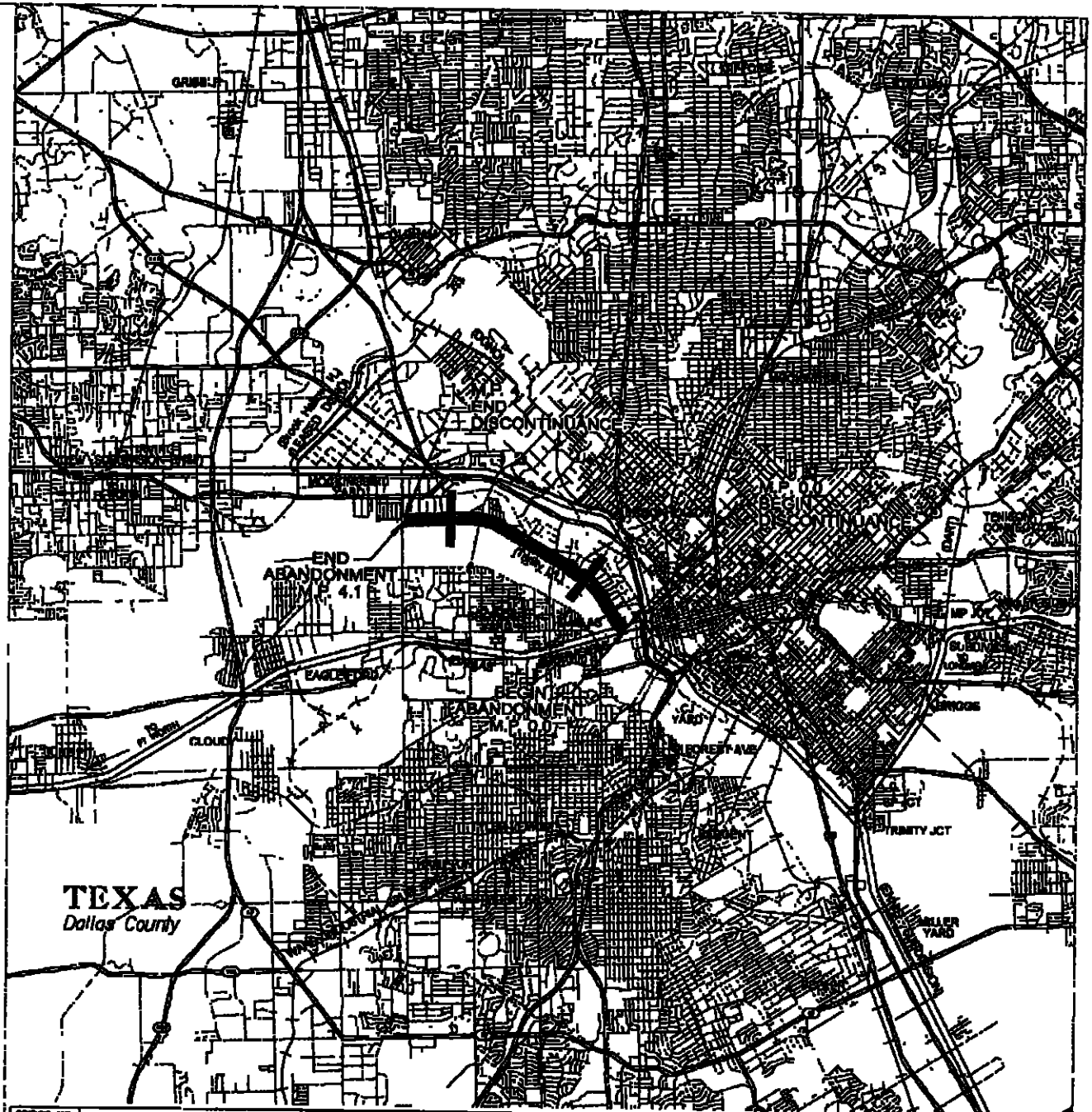
Other Agencies Consulted:

Texas Parks & Wildlife
Andrew Swanson
4200 Smith School Road
Austin, TX 78744-3291

Dated this 13th day of July, 2007



Mack H. Shumate Jr.



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
145	1 SPAN DECK PLATE GIRDER-BALLAST DECK (DPGD)	33'	1955
24	2 SPAN RAIL TIMBER PILE TRUSS OPEN DECK (TPTOD)	104'	1955
24	10 SPAN RAIL TIMBER PILE TRUSS OPEN DECK (TPTOD)	157'	1955

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

TRINITY INDUSTRIAL LEAD

MP 0.0 TO MP 4.1
TOTAL OF 4.1 MILES
IN DALLAS COUNTY

UNION PACIFIC RAILROAD CO
DALLAS, GARLAND & NORTHEASTERN RR, LESSEE
TRINITY INDUSTRIAL LEAD
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: D:\abandonments\ab33_256_trinity_v8.dgn

DATE: 30-May-07 14.25

AR-33(Sub-No. 256X)



Law Department

June 1, 2007

Texas Historical Commission
 James W. Steely
 History Program Division
 P. O. Box 12276
 Austin, TX 78711-2276

Re: Proposed Lease Discontinuation and Abandonment of the Trinity Industrial Lead from M. P. 0.0 near Terminal Junction to M. P. 4.1 near Mockingbird Lane, Dallas County, Texas; STB Docket No. AB-585 (Sub-No. 2X) and Docket No. AB-33 (Sub-No. 256X)

Dear Sir:

Enclosed for your review are twelve photographs of the bridges located on the Trinity Industrial Lead which are over 50 years old, along with a map of the proposed abandonment. The bridges are described as follows:

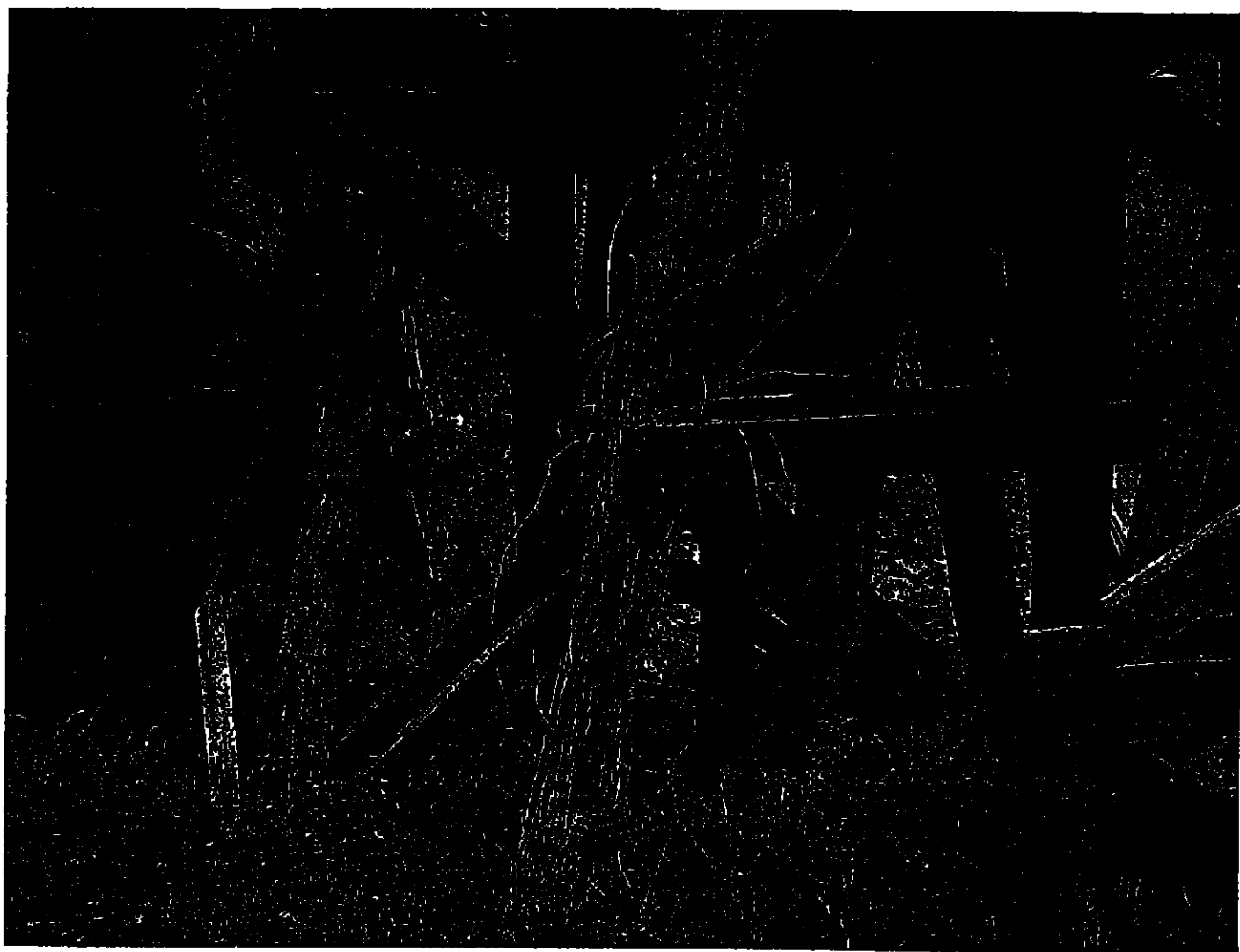
<u>Milepost</u>	<u>Description</u>	<u>Length</u>	<u>Year Constructed</u>
1.85	1 Span Deck Plate Girder- Ballast Deck (DPG)	33'	1956
	9 Span Rail Timber Pile Trestle Open Deck (TPTOD)	104'	1956
3.40	10 Span Rail Timber Pile Trestle Open Deck (TPTOD)	120'	1900

Please advise if you believe there is historical significance to either of the bridges. Thank you for your assistance.

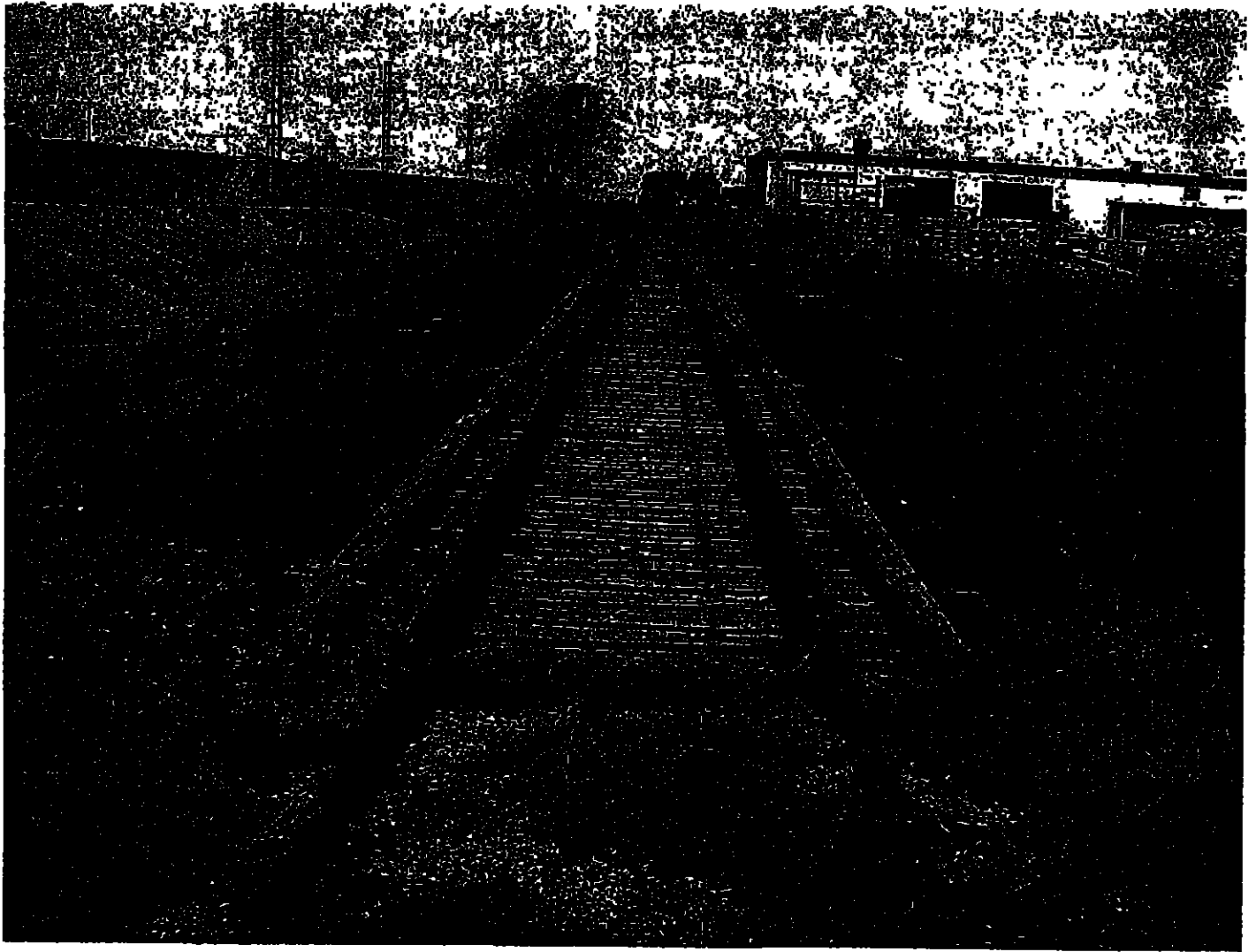
Sincerely,

Charles W. Saylor
 Charles W. Saylor
 (402) 544-4861

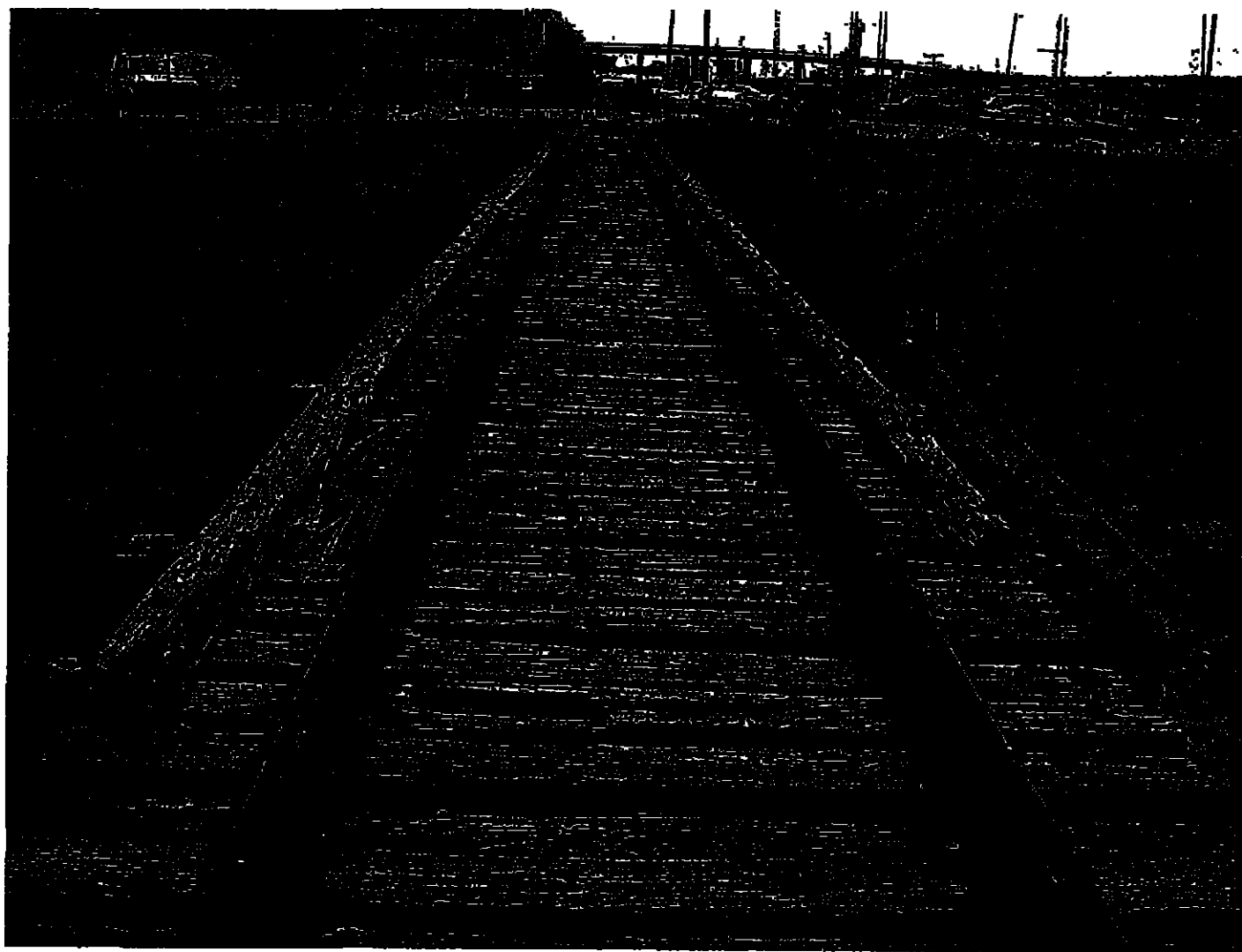
Attachments



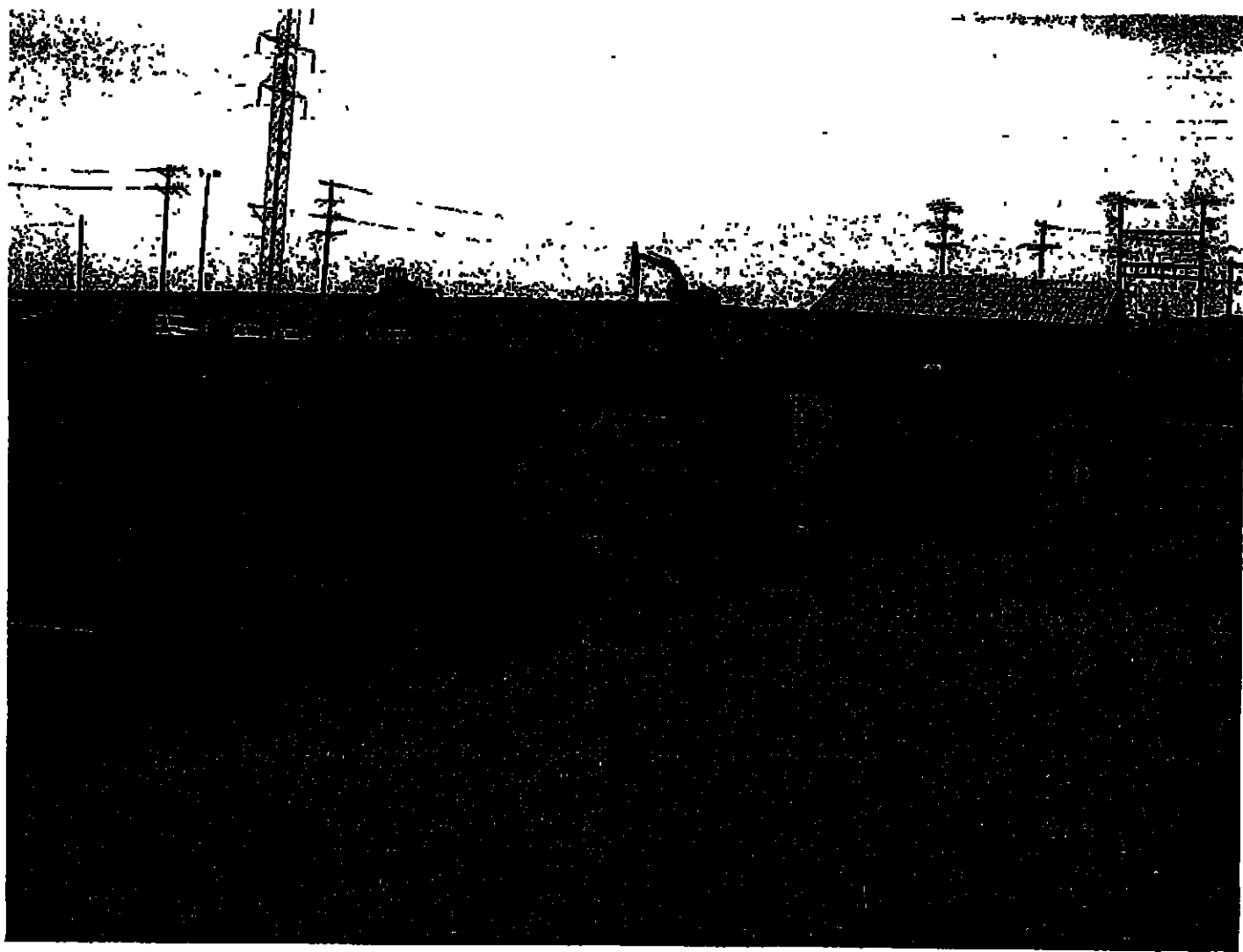
MP 1.85



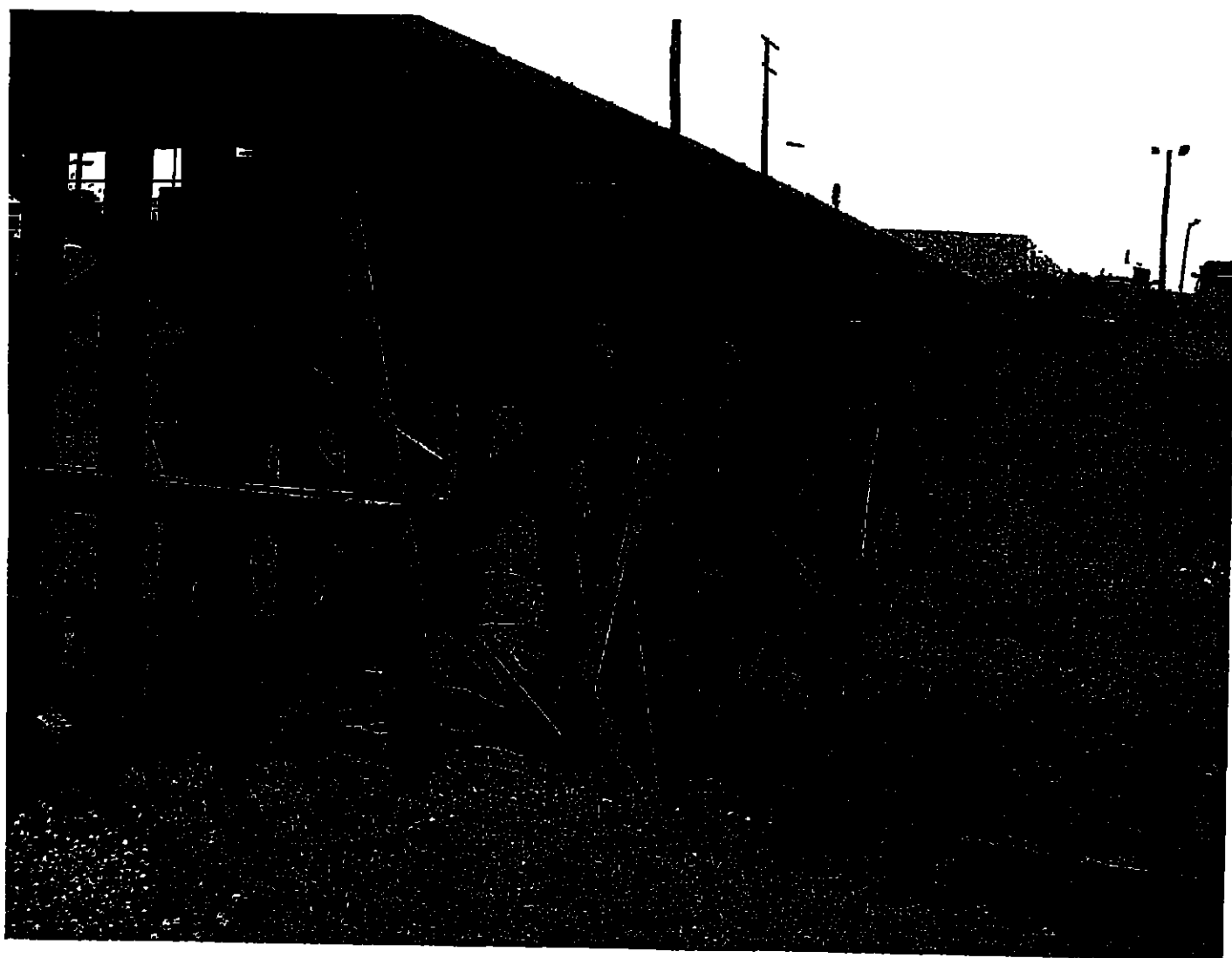
MP 1.85



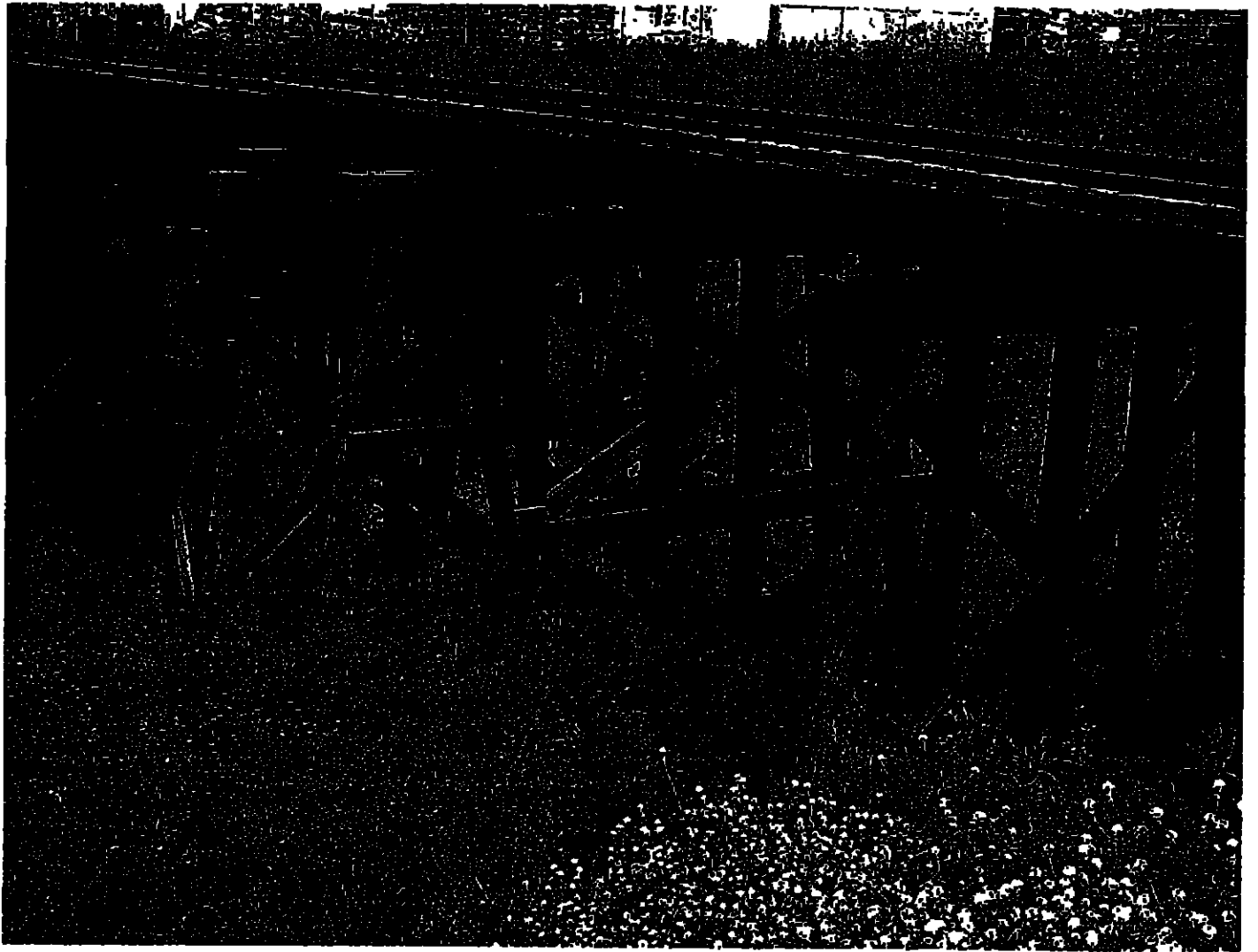
MP 1.85



MP 1.85



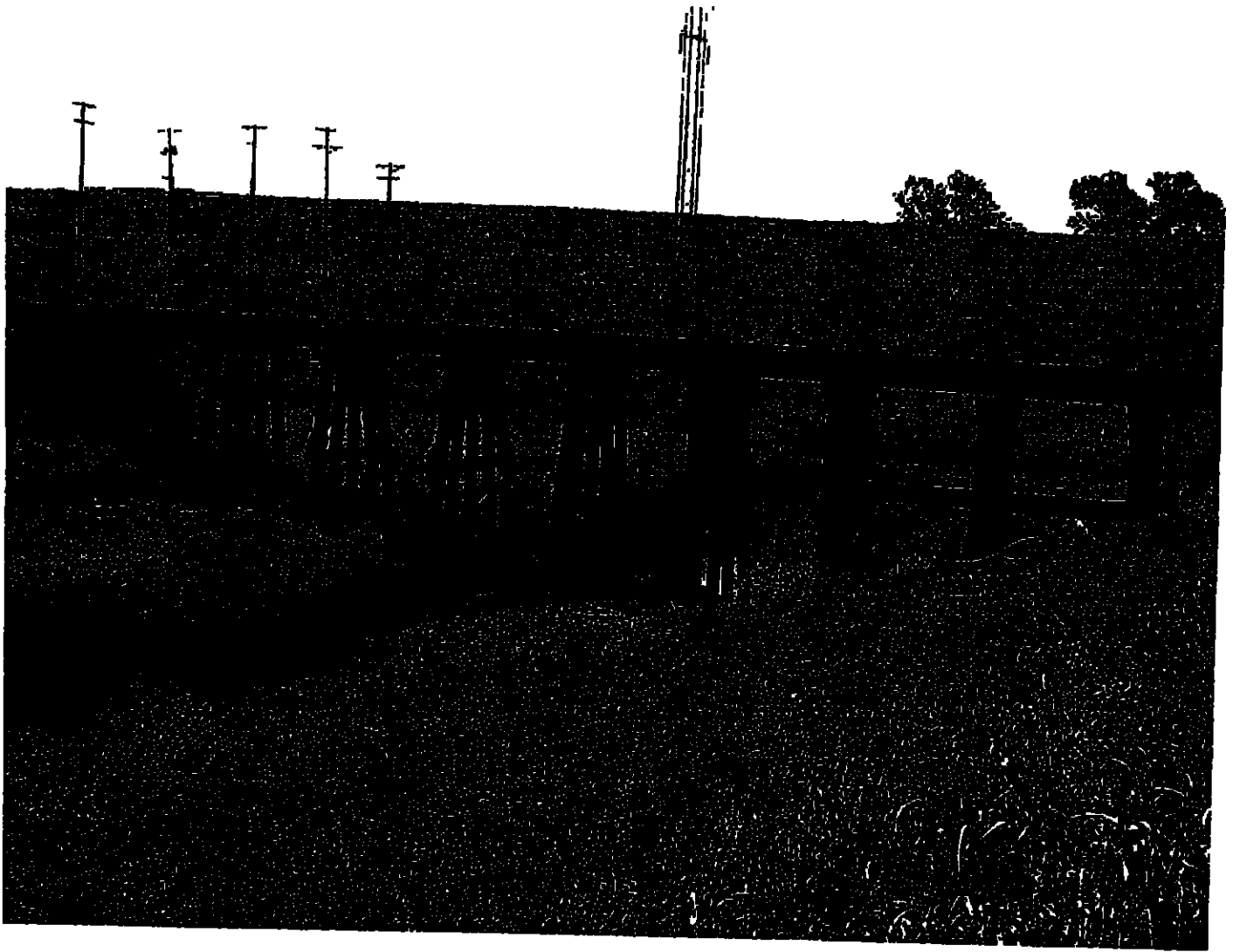
MP 1.85



MP 1.85



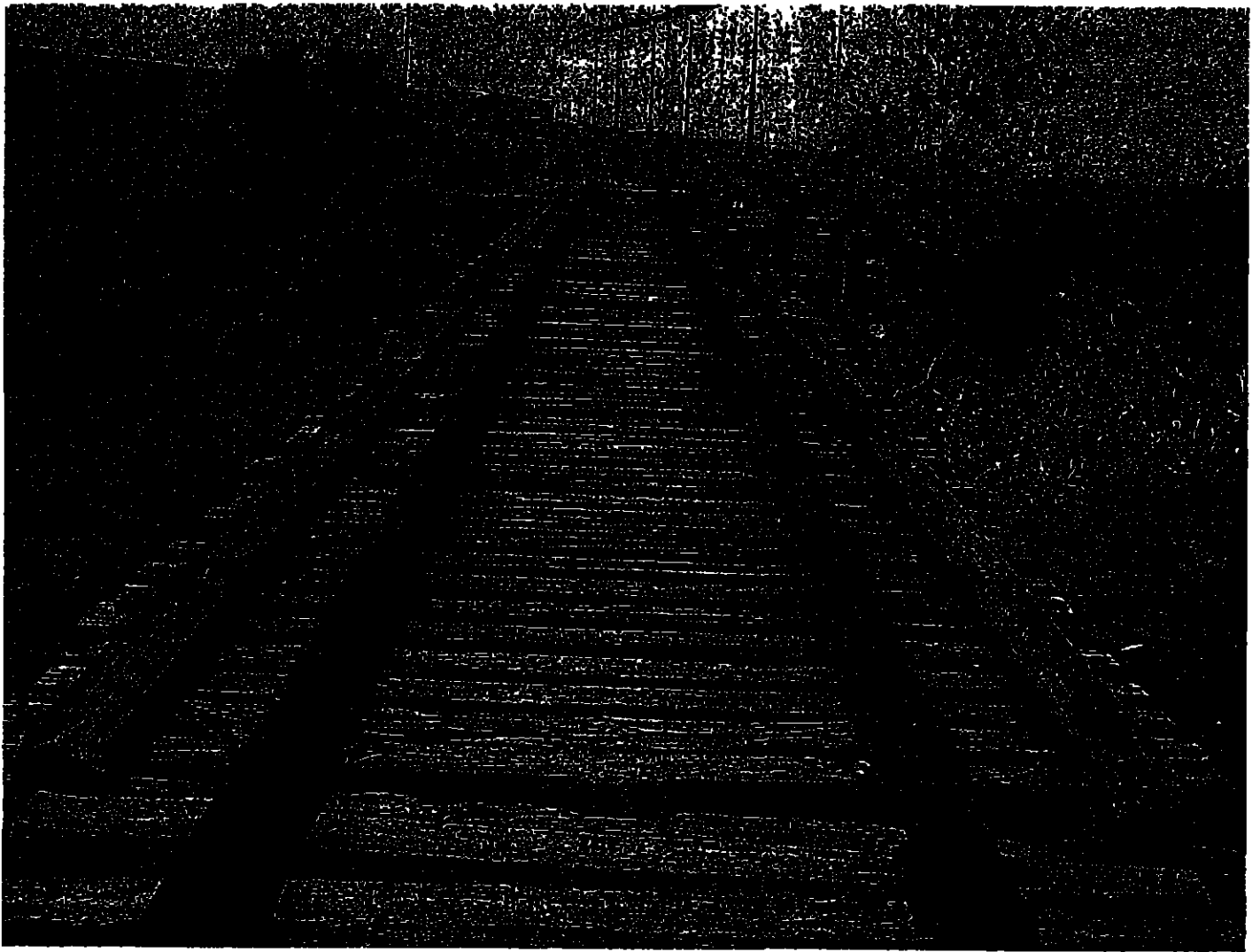
HP 3.40



MP 340



MP 3-40



MP 3.40



HP 3.40



MP 3.40

EXHIBIT C—FEDERAL REGISTER NOTICE

Docket No AB-33 (Sub-No 256X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—
IN DALLAS COUNTY, TX

AB-585 (Sub-No. 2X)

DALLAS, GARLAND & NORTHEASTERN RAILROAD COMPANY—
DISCONTINUANCE OF SERVICE EXEMPTION—IN DALLAS COUNTY, TX

Notice of Petition for Exemption to Abandon and Discontinue Service

On August 7, 2007 Union Pacific Railroad Company (“UP”) and Dallas, Garland & Northeastern Railroad Company (“DGNO”) filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment and discontinuance of service over the Trinity Industrial Lead between M. P. 00 near Terminal Junction and M. P. 4.1 near Mockingbird Lane, a distance of 4.1 miles, all of which traverses through United States Postal Service ZIP Codes 75207 and 75347, in Dallas County, TX (the “Line”). The Line for which the abandonment and discontinuance of service exemption request was filed does not include any stations.

The Line does not contain federally granted rights-of-way. Any documentation in the railroads’ possession will be made available promptly to those requesting it.

The interest of railroad employees of UP and DGNO will be protected by *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment and discontinuance of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

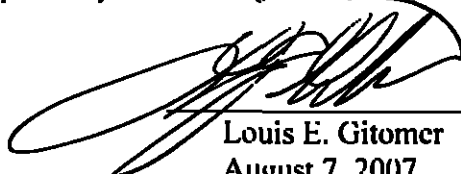
Persons seeking further information concerning abandonment and discontinuance of service procedures may contact the Surface Transportation Board or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment and discontinuance proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

EXHIBIT D—NEWSPAPER CERTIFICATION

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No 33 (Sub-No 256X) and discontinuance of service in Docket No AB-585 (Sub-No. 2X) was advertised on July 31, 2007 in the Daily Commercial Record of Dallas, a newspaper of general circulation in Dallas County, TX, as required by 49 C.F.R. § 1105.12.



Louis E. Gitomer
August 7, 2007

**ANNOUNCED VEHICLE
CONTINUED**

Notice is hereby given to the owners and lienholders of the vehicles listed below that unless such vehicles are redeemed within 20 days of the date of this Notice at the location listed, Certificate of Authority shall be issued to dispose of such vehicles to a demolition facility on the part of the owners and lienholders to exercise their right to reclaim the vehicles within the time limit provided shall be deemed a waiver by the owners and lienholders of a 14-day and 30-day notice to the disposal of such vehicles to a demolition facility. Call (512) 465-7470 for further information regarding the matter.

52 71 8350 323
411TILLES
DESCRIPTION OF VEHICLE AND LOCATION
1989 MERC 4D
3ARM1251N1R640880
1810 RLD OAK LN CAH
HOLLTON TX

7/31

**BID
NOTICES****NOTICE TO BIDDERS**

The Grand Prairie Independent School District will receive sealed bids for Floor Covering Project, new at Unit 1030 AM August 20, 2007 at the Purchasing Department, 2602 South Bell Line Road, Grand Prairie, TX 75052. Purchasing Information may be obtained from the website and specifications by visiting the following WEB site:

www.grandprairieisd.net/purchasing/bids
www.grandprairieisd.net/purchasing/bids
www.grandprairieisd.net/purchasing/bids

The school district reserves the right to reject all bids and to waive all formalities.

7/31/07

**PUBLIC NOTICE
NOTICE OF REQUEST
FOR PROPOSALS FOR
THE NORTH TEXAS
TOLLWAY AUTHORITY
FOR—Class Unified
Communication Software
Upgrade and
Implementation Services**

Proposal number—
02284-NTT-00-05-IT
The North Texas Tollway Authority invites written proposals from highly qualified firms to perform a software upgrade, implementation and training for the Class Unified Communication System. The firm or firms subcontracted must be Certified Class Partners.

Proposals must be received at the North Texas Tollway Authority's office located at 5900 W. Plano Parkway, Plano, TX 75093 not later than August 22, 2007 at 2:00 p.m.

Specifications are available at the North Texas Tollway Authority's office at the address listed on this notice and may also be obtained by contacting Reggie Sandoz at 214-224-9152 or email at rsandoz@ntta.org.

There will be one mandatory pre-proposal meeting on August 9, 2007 at 2:00 p.m. at the NTIA office located at 5900 W. Plano Parkway, Plano, TX 75093. All prospective proposers must attend this meeting. No late proposals will be accepted. A proposal for the software can

7/31/07

NOTICE TO BIDDERS

BID 996-07
Sealed bids will be received in the office of the Purchasing Manager, Room 101 City Hall 411 W. Arapaho Rd., Richardson, Texas until August 20, 2007 at 2:00 p.m. for furnishing the following:

SLCURITY TRANSPORT SERVICES

The bids will be publicly opened in the Finance Department Conference Room, Room 101 City Hall 411 W. Arapaho Rd., Richardson, Texas at 2:30 p.m. on August 20, 2007.

Since it is the policy of the City of Richardson to award the contract to the lowest bidder, the Purchasing Manager or his representative (at 972) 444-4130 or on our Web site <http://www.cityofrichardson.com>.

An initial conference will be held on Thursday, August 9, 2007 at 10:00 a.m. in the Finance Department Conference Room, Room 101 City Hall 411 W. Arapaho Road, Richardson, Texas.

The City of Richardson reserves the right to reject any or all bids in whole or in part or to proceed otherwise when in the best interest of the City.

Paul Kinland, CPPO, CPFS
Purchasing Manager
City of Richardson

7/31/07

**PUBLIC
NOTICES****NOTICE**

Union Pacific Railroad Company and Northeastern Railroad Company give notice that on or about August 7, 2007 they intend to file with the Surface Transportation Board, Washington, DC 20423 a petition for exemption under 49 USC 10502 from the prior approval requirements of 49 USC 10003 et seq. permitting the abandonment of and discontinuance of service on a 4.10-mile line of railroad between railroad milepost 6.0 near Terminal Junction and railroad milepost 4.1 near McQuigley Lane, which traverses through Union Station, Dallas, Texas ZIP codes 75207 and 75241 in Dallas County, TX. The proceedings have been assigned to No. 4133 (Sub-No. 256 X) for the abandonment and AU-585 (Sub-No. 2) for the discontinuance of service.

The Board's Section of Economic and Financial Analysis (SEAF) will prepare an Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment and discontinuance of service exemption. Comments on environmental and other matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEAF, Surface Transportation Board, Washington, DC 20423 or by calling SEAF at 202-245-5276.

Appropriate offices of both the Federal Railroad Administration and the State of Texas will be notified of this notice. Requests for environmental concerns, public use concerns or rail banking/grade use also can

be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as rail use, public use and others of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 L Street, S.W., Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)] and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding filing of financial assistance public use or trade use may be directed to the Board's Office of Congressional and Public Services at 202-245-0531. Copies of any comments or requests for consideration should be served on the Applicant's representative for Union Pacific Railroad Company, Mack H. Shumate, Jr., Senior General Counsel, 101 North Waco in Drury, Room 1920 Chicago, IL 60608, phone (312) 777-2055 fax (312) 777-2065 and email mackshumate@up.com and for Dallas Garland & Northeastern Railroad Company, Louis E. Gormer, Esq., Law Offices of Louis E. Gormer, 600 Baltimore Avenue Suite 301, Towson, MD 21204, phone (410) 486-6532 fax (410) 332-0885 and email Lou.Gormer@verizon.net.

7/31

**LIQUOR
NOTICES**

Application has been made for a Mixed Beverage Permit (MB) with Food and Beverage Certificate (FB) for Shinsei, LLC, d/b/a Kenzoku Steak & Seafood located at 8350 N. MacArthur Boulevard Suite 190, Irving, TX 75063.

Said application has been made to the Texas Alcoholic Beverage Commission in accordance with the provisions of the Texas Alcoholic Beverage Commission Code.

A Texas Profit Limited Liability Company John Quoc Leo, Manager/Member, Tom Quoc Leo, Manager/Member, Bob Quoc Leo, Manager/Member, Billy Quoc Leo, Manager/Member, Keith Quoc Leo, Manager/Member, David Koc Leo, Manager/Member, Dennis Lee, Manager/Member.

7/30, 7/31

Application has been made for a Private Club Registration Permit and Private Club Late Hours Permit for Ana's Room, Inc.

d/b/a The Filling Station Private Club located at 19009 Preston Road, Suite 209, Dallas, Collin County, Texas.

Said application made to the Texas Alcoholic Beverage Commission in accordance with the provision of the Texas Alcoholic Beverage Code.

A Texas Non-Profit Corporation
Ana Alvarez Saldana — Director/President
Theodore Paul Biddle — Director/Secretary
Zackery Holmes — Director
Wilkins — Director

7/31, 8/1

APPLICATION HAS BEEN MADE FOR A PRIVATE CLUB BEER & WINE PERMIT FOR AND DBA L B HOUSTON GOLF COURSE & CLUB INC AT 11223 LUNA ROAD, DALLAS, DALLAS COUNTY, TEXAS.

SAID APPLICATION HAS BEEN MADE TO THE TEXAS ALCOHOLIC BEVERAGE COMMISSION IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS ALCOHOLIC BEVERAGE CODE.

EVA TAYLOR-JONES — PRESIDENT
ASHLEY RONETTE SMITH — VICE PRESIDENT
GWENDOLYN DENISE ECTOR — SECRETARY

7/31, 8/1

LEGAL NOTICE

Application has been made with Texas Alcoholic Beverage Commission For Wine Only Package Store Permit by YONG & JD, INC dba Quick Way Food Mart to be located at 1402 N. Carroll Ave City of Dallas, County of Dallas, Texas.

Officers of said Corporation are Yong Ju Kim, President, I Su Kim, Secretary.

7/31, 8/1

Application has been made with the Texas Alcoholic Beverage Commission for a Mixed Beverage Permit and a Mixed Beverage Late Hours with a Food and Beverage Certificate by Sly Entertainment LLC d/b/a Manhattan of Addison, located at 14831 Midway Rd., Ste 101, Addison, Dallas County, Texas.

Manager of said LLC is Stephen Lewis York, Mgr./Mem.

7/31, 8/1

**NOTICE TO
CREDITORS**

No 07-2272-P3
ESTATE OF HARRIS L. PATTERSON, DECEASED
IN THE PROBATE COURT
NO 3 DALLAS COUNTY,
TEXAS
NOTICE TO ALL PER
SONS
HAVING CLAIMS
AGAINST THE ESTATE OF
HARRIS L. PATTERSON,
DECEASED

Notice is hereby given that original Letters Testamentary for the Estate of Harris L. Patterson were issued on July 25, 2007 in Cause No. 07-2272-P3 pending in the Probate Court No. 3 of Dallas County Texas to Joe D. Patterson as Independent Executor without Bond.

All persons having claims against the Estate which is currently being administered are required to present them within the time and in the manner prescribed by law in Cause No. 07-2272-P3 pending in the Probate Court No. 3 of Dallas County Texas to Joe D. Patterson as Independent Executor of the Estate of Harris L. Patterson at the following address: 14144 Arlington Parkway, Suite 200, Dallas, Texas 75244.

7/31

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of FLEUR DERRING FAY, DECEASED were issued on June 6, 2007 under Cause No. 07-1458-P3 pending in the Probate Court No. 3 of Dallas County Texas to Christopher Derrington Fay. Claims may be presented in case of the attorney for the Estate addressed as follows: Mark W. Sutherland, BLANSCET SUTHERLAND HOOPER & HALE, L.L.P., 14285 Midway Road, Suite 400, Addison, TX 75001.

All persons having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law. Dated the 15th day of July 2007.

BLANSCET SUTHERLAND HOOPER & HALE, L.L.P.
By Mark W. Sutherland
Mark W. Sutherland
Attorney for Applicant

7/31

NO 07-1795-P2
IN RE ESTATE OF
RACHEL S. VESTAL,
DECEASED
IN PROBATE COURT
NO 2 OF DALLAS
COUNTY TEXAS
NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary upon the Estate of Rachel S. Vestal, Deceased, were issued to Nancy Lee Rahr, whose mailing address is 1125 East Highway 121, Lewisville, Texas 75057, and to Carolyn Kaye Kelly, a resident of County Colorado on the 24th day of July 2007, by the Probate Court of Dallas County, Texas. Cause No. 07-1795-P2 which is still pending and they now hold such Letters Testamentary. All persons having claims against said estate are hereby required to present the claims to Nancy

Lee Rahr within the time prescribed by law at 1125 East Highway 121, Lewisville, Texas 75057, which is the mailing address of Nancy Lee Rahr, Independent Co-Executor.

7/31

CAUSE NO. 07-2322-P2
THE ESTATE OF
PATRY M. DENMAN
DECEASED
IN THE PROBATE COURT
NUMBER TWO OF
DALLAS COUNTY TEXAS
NOTICE TO ALL PER
SONS HAVING CLAIMS
AGAINST THE ESTATE OF
PATRY M. DENMAN,
DECEASED

Notice is hereby given that original Letters Testamentary for the Estate of PATRY M. DENMAN, were issued on July 23, 2007 in Cause No. 07-2322-P2 pending in the Probate Court Number Two of Dallas County Texas to JOHN L. DENMAN, as Independent Executor. Claims may be presented by addressing the same in the Attorney for the Independent Executor as follows:

TAYLOR LOHMEYER P.C.
Attention:
Fred Lohmeyer, Esq.
2911 Turtle Creek Blvd.
Suite 1010
Dallas, Texas 75219

All persons having claims against the Estate which is currently being administered are required to present them within the time and in the manner prescribed by law. DATED the 25th day of July 2007.

Respectfully submitted:
TAYLOR LOHMEYER, P.C.
By Fred Lohmeyer
Fred Lohmeyer, Esq.
Suite 1010, 2911 Turtle Creek Blvd.
Dallas, Texas 75219
Phone: (214) 928-5900
Fax: (214) 528-1581
ATTORNEYS FOR THE
ESTATE

7/31

**CITATIONS BY
PUBLICATION**

CITATION
BY PUBLICATION
THE STATE OF TEXAS
TO ALL PERSONS CLAIMING ANY TITLE OR INTEREST IN LAND UNDER NEED HEREOF OR FOR GIVEN TO ANCHIL AND COMPANY OF 11 E. 5th St. OF DALLAS AS GRANTTEE UNKNOWN OWNER defendant.

Defendants in the herein matter styled as a numbered cause. YOU are hereby commanded and so appear before the County Court of Dallas County at Law No. 4 Dallas County Texas in and out of the Court House of said County in the City of Dallas, Dallas County State of Texas at or before 10:00 o'clock a.m. of the first Monday after the expiration of 42 days from the date of issuance hereof being Monday the 13TH day of AUGUST A.D. 2007 and file a written answer to Plaintiff's Original Petition in cause numbered at 07-06250-P. Sybil DALLAS GILKINTY COMMUNITY COLL. DISTRICT CLERK vs. ALL PERSONS CLAIMING ANY TITLE OR INTEREST IN LAND UNDER NEED HEREOF OR FOR GIVEN TO ANCHIL AND COMPANY OF 11 E. 5th St. OF DALLAS AS GRANTTEE UNKNOWN OWNER defendant.

CITATION BY PUBLICATION
CITATION BY PUBLICATION

EXHIBIT E—CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. §1152.60(d), the undersigned hereby certifies that the Petition for Exemption in Docket No. AB-33 (Sub-No. 256X), *Union Pacific Railroad Company—Abandonment Exemption—in Dallas County, TX*, and Docket No. AB-585 (Sub-No. 2X), *Dallas, Garland & Northeastern Railroad Company—Discontinuance of Service Exemption—in Dallas County, TX* was mailed via first class mail, postage prepaid, on August 7, 2007, to the following parties:

State Public Service Commission

Railroad Commission of Texas
P.O. Box 12967
Austin, TX 78711-2967

Military Surface Deployment and Distribution Command Transportation Engineering Agency

SDDCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, VA 23606-2574

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1201 Eye Street, N.W.
Washington, DC 20005


U.S. Department of Interior
National Park Service
Attention Mr. Charlie Stockman
Acting Conservation and Outdoor Recreation Manager
1201 I Street, NW, 9th Floor
Washington, DC 20005

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor, NW
Sidney R. Yates Building
201 14th Street, S.W.
Washington, DC 20250

Cargill Foods

Mr Jeff Greavu
Supply Chain Logistics Manager
Cargill Corn Milling
15407 McGinty Road West, Mail Stop 62
Wayzata, MN 55391-2399



Louis E. Gilmer
August 7, 2007